IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE BILAL NAZKI**

**and**

**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 19515 of 2004**

Between:

M/s NCL Industries Limited Simhapauri, Nalgonda District
rep. by its General Manager (Admn. & Mar), Mr.K.Chandrasekhar.

**..... PETITIONER**

AND

1 The Assistant Commissioner (CT) Int.LTU Nalgonda Division, Nalgonda.
2 The Appellate Deputy Commissioner (CT) Hyderabad Rural Division,

Hyderabad.
3 The Additional Commissioner (CT) Legal Andhra Pradesh, Nampally,

Hyderabad.
4 The Manager, Oriental Bank of Commerce S.D.Road Branch, Secunderabad.
5 The Manager, Vijaya Bank Bank Street, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Certiorari or any other appropriate writ or order or direction quashing the impugned notice of the 1st respondent dated 11.10.2004 issued to the 4th and 5th respondents for recovery of the disputed tax of Rs.2,67,97,947/- for the assessment years 2001-02 and 2003-04 under APGST & CST Acts as illegal, arbitrary and unjustified and consequently restrain the 1st respondent from taking any coercive steps for recovery of the disputed demands covered by the impugned

notice till the disposal of the appeals by the 2nd respondent or the disposal of the stay applications by the 3rd respondent.

**Counsel for the Petitioner:MR.S.DWARAKANATH**

**Counsel for the Respondents: GP FOR COMMERCIAL TAXES**

**The Court made the following**

**O R D E R** (Per the Hon'ble Sri Justice Bilal Nazki):

Heard learned counsel for the parties.

The petitioner has filed stay applications before the third respondent, pending appeals. The applications have already been heard finally on 19-10-2004, and orders have not been passed so far. In the meantime, two bank accounts of the petitioner have been attached.

In these circumstances, with the consent of the learned counsel for the parties, we dispose of the writ petition suspending the order of attachment of the bank accounts of the petitioner, till the applications for stay orders are decided by the third respondent. No order as to costs.

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(BILAL NAZKI, J)

26th October, 2004.

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(S.ANANDA REDDY, J)

Note:Issue wire at party's cost

B/o

vrn

To

1 The Assistant Commissioner (CT) Int.LTU Nalgonda Division, Nalgonda.
2 The Appellate Deputy Commissioner (CT) Hyderabad Rural Division,

Hyderabad.
3 The Additional Commissioner (CT) Legal Andhra Pradesh, Nampally,

Hyderabad.
4 The Manager, Oriental Bank of Commerce S.D.Road Branch, Secunderabad.
5 The Manager, Vijaya Bank Bank Street, Hyderabad.

6 Two C.Cs to the Government Pleader for Commercial Taxes,

High Court of A.P, Hyderabad (OUT)

7 Two C.D copies